

in part that it be reworked and reprocessed under the supervision of this department, to comply with the law.

W. M. JARDINE, *Secretary of Agriculture.*

**12883. Adulteration and misbranding of vanilla extract. U. S. v. 10 Gross Vanilla Extract. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 19060. I. S. No. 16856-v. S. No. E-4980.)

On October 15, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information against 10 gross vanilla extract, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Morrow & Co., from New York, N. Y., August 26, 1924, and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, an imitation vanilla extract, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it had been colored in a manner whereby damage and inferiority was concealed.

Misbranding was alleged for the reason that the statements "Vanilla Extract Benefit Brand Highest Quality Pure Vanilla Extract Quality, Strength, Purity All Benefit Pure Food Products Are The Highest Standard Fine flavoring extracts," appearing on the bottle carton, and "Benefit Brand Highest Quality Pure Vanilla Extract," on the bottle label, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On November 18, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**12884. Adulteration and misbranding of vinegar. U. S. v. John Scowcroft & Sons Co., a Corporation. Plea of guilty. Fine, \$50.** (F. & D. No. 18732. I. S. Nos. 11521-v, 11522-v, 11524-v.)

On October 15, 1924, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Scowcroft & Sons Co., a corporation, Ogden, Utah, alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about July 11, and August 10, 1923, respectively, from the State of Utah into the State of Idaho, of quantities of vinegar which was adulterated and misbranded. A portion of the article was labeled in part: (Bottle) "Kitchen King Brand Malt Vinegar \* \* \* Acidity 4% John Scowcroft & Sons Company Ogden, Utah, U. S. A." The remainder of the said article was labeled in part: (Bottle) "Blue Pine Brand \* \* \* Pure Malt Vinegar acidity 4½% John Scowcroft & Sons Company, Ogden, Utah, U. S. A."

Analysis of a sample of the Kitchen King brand vinegar by the Bureau of Chemistry of this department showed that it was distilled vinegar of low acidity colored with caramel. Analysis by said bureau of a sample of the Blue Pine brand vinegar, consigned July 11, showed that it was distilled vinegar colored with caramel. Analysis by said bureau of a sample of the Blue Pine brand vinegar, consigned August 10, showed that it was distilled vinegar of low acidity.

Adulteration of the article was alleged in the information for the reason that a product, to wit, distilled vinegar, a portion of which had an acidity less than declared on the label, had been substituted for malt vinegar, which the said article purported to be. Adulteration was alleged with respect to a portion of the article for the reason that it had been colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements "Malt Vinegar" and "Acidity 4%," with respect to the Kitchen King brand vinegar, the statement "Pure Malt Vinegar," with respect to the Blue Pine brand vinegar consigned July 11, and the statements "Pure Malt Vinegar" and "Acidity 4½%," with respect to the Blue Pine brand vinegar consigned August 10, were

false and misleading, in that the said statements represented that the article was malt vinegar and that the Kitchen King brand vinegar and a portion of the Blue Pine brand vinegar had an acidity of 4 per cent or 4½ per cent, as the case might be, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was malt vinegar and that the Kitchen King brand vinegar and a portion of the Blue Pine brand vinegar had an acidity of 4 per cent or 4½ per cent, as the case might be, whereas, in truth and in fact, it was not malt vinegar but was distilled vinegar, certain portions of which were artificially colored and certain portions of which had acidity less than declared on the labels. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On October 24, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture*.

**12885. Adulteration of butter. U. S. v. Willow Springs Creamery Co., a Corporation. Plea of guilty. Fine, \$100.** (F. & D. No. 18101. I. S. No. 6886-v.)

On April 2, 1924, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Willow Springs Creamery Co., a corporation, Willow Springs, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about June 25, 1923, from the State of Missouri into the State of Louisiana, of a quantity of butter which was adulterated.

Analyses of 12 samples of the article by the Bureau of Chemistry of this department showed that the said samples averaged 16.37 per cent moisture and 79.08 per cent milk fat.

Adulteration of the article was alleged in the information for the reason that a product deficient in milk fat and containing an excessive amount of moisture had been substituted for butter, which the article purported to be.

On October 7, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture*.

**12886. Adulteration of shell eggs. U. S. v. 6 Cases, et al., of Shell Eggs. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 18954, 18955, 18957, 19030, 19032. S. Nos. W-1561, W-1562, W-1563, W-1577, W-1578.)

On or about August 23 and September 9, 1924, respectively, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 192 cases of shell eggs, remaining in the original unbroken packages at Denver, Colo., consigned by George Kliren, alleging that the article had been shipped between the dates of August 9 and 26, 1924, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libels for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, of decomposed and rotten eggs, which were unfit for food.

On or about September 25, 1924, the cases having been consolidated into one action and George Kliren, Trenton, Nebr., claimant, having admitted the allegations of the libels and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that it be examined under the supervision of this department, and the bad eggs destroyed.

W. M. JARDINE, *Secretary of Agriculture*.

**12887. Misbranding of vanilla extract. U. S. v. 34 Dozen Bottles of Vanilla Extract. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 18722. I. S. No. 20208-v. S. No. W-1513.)

On June 7, 1924, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemna-